REMARKS/ARGUMENTS

Request for Continued Examination:

   The applicant respectfully requests continued examination of the above-indicated application as per 37 CFR 1.114.

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1. Rejection of claims 1-26 under 35 U.S.C. 102(e):

   Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin et al. (US 5,832,000, "Lin" hereinafter).

10 **Response:**

   Claims 1-3, 5, 13, 19, and 25 have been amended to replace the term "instance" with the term "copy" and the plural term "instances" with "copies". This change is made to clarify the claimed invention and to prevent any confusion that could result from reading the claims. The specification of the
15   instant application as filed uses the terms "instances" and "copies" interchangeably, such as in paragraphs [0028] and [0034], and the applicant submits that no new matter is added through these claim amendments.

   Claim 1 recites the limitation of "successively transmitting a first
20   predetermined number of more than one identical copies of a data block with a first transmitter of the first peer". The Examiner has alleged that Lin teaches transmitting identical copies (Fig. 4, 404, 406, 408, 410, 412, 414, 416, 418, 420) of a data block (Fig. 4, 402) with a first transmitter (Fig. 2, transmitter 202) of the first peer.

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   However, in Lin, by-products 404, 406, 408 are by-products of the original message 402, which add a certain amount of redundancy to the original message. These by-products 404, 406, 408 are then further broken down into by-products 410, 412, 414, which in turn are further broken down into by-products 416, 418,
30   420. It should be noted that none of the by-products 404, 406, 408, 410, 412, 414,

416, 418, 420 are identical copies of the original message 402 or identical copies of other by-products. Therefore, Lin does not disclose or suggest "successively transmitting a first predetermined number of more than one identical copies of a data block with a first transmitter of the first peer".

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Additionally, claim 1 recites the limitation of "receiving at least two of the first predetermined number of identical copies of the data block with a second receiver of the second peer". The Examiner has alleged that Lin teaches receiving at least two of the first predetermined number of identical copies of the data

10   block (Fig. 4, 406, 406) with a second receiver (Fig. 3, receiver 304) of the second peer. However, it should be noted that none of the by-products 404, 406, 408, 410, 412, 414, 416, 418, 420 is the same, and therefore there will not be two identical by-products that can be received.

15   Claim 2 recites "transmitting a response to the complete copy of the data block with a second transmitter of the second peer". The Examiner has alleged that Lin teaches in col.3, lines 61-62 requesting retransmission of portions of corrupted messages that are unrecoverable. However, claim 2 pertains to receiving a **complete copy** of the data block, and does not pertain to receiving

20   corrupted and unrecoverable messages. Therefore, Lin fails to teach the features recited in claim 2.

Claim 3's rejection suffers from the same problems as noted above for claim 2, and claim 3 should be allowable over Lin as well.

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Claims 4-12 are dependent claims of claims 1-3. If claims 1-3 are allowable over Lin as argued above, claims 4-12 shall also be allowable.

Claim 13 recites the limitation of "a first processor electrically connected to

30   the first transmitter for controlling the first transmitter to successively transmit a

first predetermined number of more than one identical copies of a data block via
the first antenna". As explained in the response for claim 1, by-products 404, 406,
408, 410, 412, 414, 416, 418, 420 are not identical copies of the original message
402 or of each other. Therefore, Lin does not disclose or suggest the features of

5   claim 13.

       Claims 14-18 are dependent claims of claim 13. If claim 13 is allowable
over Lin as argued above, claims 14-18 shall also be allowable.

10   Claim 19 recites the receiving peer comprises "a second transmitter for
transmitting a response to the transmitting peer when the second processor forms
a complete copy of the data block". In the rejection of claim 24, the Examiner
alleged that Lin teaches a second transmitter (Fig. 1, SCU 122) for transmitting a
response to the transmitting peer (SCU 122 requests retransmission of portions of

15   corrupted messages, col. 3, lines 61-62). However, as noted above with respect to
claim 2, this limitation of claim 19 pertains to receiving a **complete copy** of the
data block, and does not pertain to receiving corrupted and unrecoverable
messages. Therefore, Lin fails to teach the features recited in claim 19.

20   Claim 25 recites that "the second transmitter is capable of successively
transmitting a second predetermined number of more than one identical copies of
the response". The Examiner alleges that Lin teaches with by-products 404, 406,
408, 410, 412, 414, 416, 418, 420. Yet, these by-products 404, 406, 408, 410, 412,
414, 416, 418, 420 are not identical copies of the original message 402 or of each

25   other. Therefore, Lin does not disclose or suggest the features of claim 25.

       Claims 20, 21, 22, 23 and 26 are dependent claims of claim 19. If claim 19
is allowable over Lin as argued above, claims 20, 21, 22, 23 and 26 shall also be
allowable.

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2. Introduction to new claim 27:

Claim 27 specifies "the first transmitter of the first peer transmits at least two of the first predetermined number of identical copies of the data block before a second transmitter of the second peer transmits a response." This limitation is fully supported in Figures 7 and 8 of the instant application, as well as in paragraph [0028], "In other words, rather than remaining idle while waiting for an expected response or a status report from the peer 70, the peer 60 retransmits the data block one or more times", and paragraph [0034], "In contrast to the prior art, the present invention successively transmits a given data block several times without waiting for indication of a negative acknowledgement or time out". No new matter is added through the introduction of claim 27.

As noted above, Lin does not teach transmitting identical copies of a data block with a first transmitter of the first peer. Therefore, it follows that Lin also does not teach the first transmitter of the first peer transmitting at least two of the first predetermined number of identical copies of the data block before a second transmitter of the second peer transmits a response. Consideration of new claim 27 is respectfully requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Sincerely yours,

_____/Winston Hsu/_____   Date: _____11/28/2008_____

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